

**From:** Anthony McDowell  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

The currently proposed settlement between Microsoft Corp. and the United States is terrible for consumers and the industry; let me explain why. My name is Anthony McDowell. I am a Computer Engineering student and Army cadet at Mississippi State University. My responsibilities within the Army require that I do extensive work with computers and computer systems. Therefore, I feel particularly compelled to respond to this call for public opinion.

I have been involved in the computer industry since I was about nine years old. In that time, I have seen Microsoft evolve from being a rather equal partner in the global computer industry to one which has abused and created circumstances which were unfortunate for their competitors.

Therefore, I believe that the settlement of Microsoft's anti-trust case, as currently proposed, is not strong enough. Microsoft has demonstrated in the past that it does not take legal rulings to heart. During the ramp-up period prior to Microsoft's release of its WindowsXP operating system, Microsoft intentionally worked to cause any legal ramifications to be delayed long enough to allow the operating system into the market. That move alone has done great harm to the industry. The "features" Microsoft has bundled with this operating system release have already shut out a great many competitors and severely inhibited the abilities of others.

For example, Microsoft's "Windows Media Player" application has been mutated to a point such that it performs functions previously done by various competitors. Media Player has removed the "need" for products such as RealAudio Player from RealSystems, QuickTime Player from Apple Computers, and WinAmp from Nullsoft/AOL-Netscape-Time Warner.

Microsoft's web browser, Internet Explorer has also attempted to purge the market of competitors. By developing Microsoft-specific extensions to the HTML web programming language, Microsoft has attempted to ensure that only their browsers are used to connect to web pages. These Microsoft-specific extension not only perform special functions if viewed in Internet Explorer, they also tend to cause non-Internet Explorer browsers to crash, presenting the facade that these competing products are "buggy" or of lesser quality than the Microsoft Browser.

This kind of Microsoft exclusivity has also been seen migrating into their software development products such as Microsoft Visual Studio. In Microsoft J++, a component product of Visual Studio used for developing JAVA-based applications, Microsoft has again added Microsoft-specific extensions or functionality which performs reasonably well on a Microsoft platform, but often causes applications to appear buggy or non-functional

on competing platforms.

These cases are but a few from Microsoft's extensive and far-reaching dossier of anti-competitive practices. It is by using the practices stated above, circumstances not currently covered by the proposed settlement, that Microsoft will continue to be a monopoly and will continue to control how and when things are done inside the consumer computer market. Under normal circumstances, I would agree that Microsoft is simply being a good competitor by attempting to further their product gains. However, Microsoft holds a trump card which most companies normally don't: they also control the platform which their products are based on. It is like allowing Ford, or Daimler-Chrysler to control how roads are built so that their automobiles run more smoothly on them.

Operating systems are one of the fundamental pieces of software which a computer uses.; no computer will operate without one. As such, I propose the removing of all operating systems from companies currently producing them. This would include Windows (all versions) from Microsoft, MacOS from Apple, and the various Linux/UNIX/Posix compliant operating systems from other smaller companies. Further, I suggest that these companies enter into a government-supervised council which has the sole purpose of developing a platform-independent, consumer-level operating system to be released to the public free of charge. If a computer cannot function without an operating system, then I feel consumers are being placed in "double jeopardy" by being forced to pay twice simply to use the computer. A free operating system such as this would allow a consumer to purchase a computer without the worries of licensing on the most fundamental level. This operating system would be platform independent enough to run on Intel/AMD x86 class microprocessors, the PowerPC class microprocessors used in Apple-branded computers, and others. Consumers would then have the freedom to purchase software products based on their merits, not on their platform requirements.

Unfortunately, while most of the nation is aware of the basic facts in this case, only the few who actually work in this industry are entirely aware of its importance and the legal precedent which stands to be made. If Microsoft is allowed to leave this case with such a simple and un-correcting punishment against them, they will lay the groundwork for other anti-competitive companies to use money and legal tactics in the same fashion. Therefore, I feel compelled to use my knowledge and understanding of this case for the betterment of the public at large. The terms of this agreement are terribly underpowered and un-enforceable. As a soldier in the United States Army, I feel particularly afraid that the United States legal system is going to allow these kinds of companies to control the very computer systems which I must use to help safeguard the lives of my fellow soldiers and the American populace.

In conclusion, I would like to re-iterate Microsoft's passion for ignoring legal proceedings. Unless a stronger ruling is issued against Microsoft,

nothing will change. Despite the great costs involved a case of this magnitude, Microsoft has continued to prosper and profit financially from their monopoly in this market. Unless something is done with serious ramifications, the results of this case will be business as usual for Microsoft and fewer choices and less computer security for consumers.

Thank You and Best Regards,

Anthony McDowell

Student, Mississippi State University  
Cadet, United States Army